

From: Dan Nuffer
To: Microsoft ATR
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Subject: Microsoft Settlement

To whom it may concern:

I am a software engineer and am familiar with computing and the computer industry, and the adverse effects of Microsoft's monopolies in these areas. I cannot see how the proposed settlement to the antitrust case even pretends to remedy the antitrust violations for which Microsoft has been found culpable.

The company has already been found guilty. This is the penalty phase of the case, but the settlement contains no penalties and actually advances Microsoft's operating system monopoly. I think that a just penalty would enforce the following:

- Microsoft must sell their products for the same price to all OEM customers. They must not be allowed to punish OEMs who sell or bundle competitive microsoft software. Microsoft must sell their products to any OEM who wants to purchase their products.
- Microsoft must allow OEMs to install non-Microsoft software such as Netscape Navigator or Red Hat Linux on computer systems.
- The specifications of Microsoft's present and future document file formats must be made public, so that documents created in Microsoft applications may be read by programs from other makers, on any operating system.
- Microsoft must completely document the Windows application program interface (API, the set of "hooks" that allow other parties to write applications for Windows operating systems), which is already part of the proposed settlement.
- Any Microsoft networking protocols must be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing de facto control of the Internet.
- Microsoft must sell their products at a fair price. As is obvious by the amount of money they have in reserve, they have been severely overcharging consumers. Their prices are greatly inflated in relation to their competitors. For example, Microsoft Office costs many times more than WordPerfect Office does, and Windows XP costs much more than Red Hat Linux does. This is only possible because they are taking advantage of their monopoly status. If Microsoft products were not the de-facto standard, no one would buy them, because they are so expensive.

- As much as possible, Microsoft must send refunds to all customers who have been overcharged because of Microsoft's exploitation of their monopoly.

Respectfully yours,
Daniel C. Nuffer